

Near N. Valley
 10445 Camino Real
 N. Valley Coalition

Referred 12/7/09

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- ☐ Major Subdivision action
- ☐ Minor Subdivision action
- ☐ Vacation
- ☐ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- ☐ for Subdivision
- ☐ for Building Permit
- ☐ Administrative Amendment (AA)
- ☐ IP Master Development Plan
- ☐ Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- ☐ Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- ☐ Annexation
- ☐ County Submittal
- ☐ EPC Submittal
- ☒ Zone Map Amendment (Establish or Change Zoning)
- ☐ Sector Plan (Phase I, II, III)
- ☐ Amendment to Sector, Area, Facility or Comprehensive Plan
- ☐ Text Amendment (Zoning Code/Sub Regs)
- ☐ Street Name Change (Local & Collector)
- ☐ D A APPEAL / PROTEST of...
- ☐ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): DAC ENTERPRISES, INC PHONE: 294-5243
 ADDRESS: P.O. Box 10658 FAX: 247-4530
 CITY: ALBUQUERQUE STATE NM ZIP 87191 E-MAIL: _____

APPLICANT: DAVID ORTIZ PHONE: 765-1972
 ADDRESS: 2900 2nd Street NW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87107 E-MAIL: _____

Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: ZONE MAP AMENDMENT FROM R-1 TO C-3

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ☐ Yes ☐ No

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No: LOT 1 & 2 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: GENTRY DRAIN
 Existing Zoning: R-1 Proposed zoning: C-3 MRGCD Map No: _____
 Zone Atlas page(s): H-14 UPC Code: 101405939351912707
101405939150212706

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.): _____

CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO
 No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): .79AC
 LOCATION OF PROPERTY BY STREETS On or Near: CLAREMONT
 Between: 2nd Street NW and 4th Street NW

Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☐ Date of review: _____

SIGNATURE Doug Crandall DATE 11/27/09
 (Print) DOUG CRANDALL, DAC ENTERPRISES, INC Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY

- ☐ INTERNAL ROUTING
- ☐ All checklists are complete
- ☐ All fees have been collected
- ☐ All case #s are assigned
- ☐ AGIS copy has been sent
- ☐ Case history #s are listed
- ☐ Site is within 1000ft of a landfill
- ☐ F.H.D.P. density bonus
- ☐ F.H.D.P. fee rebate

Application case numbers

09EPC 40066

Action

ZMA
ADY
CMP

SF

2

Fees

\$ 240.00
 \$ 75.00
 \$ 50.00
 \$ _____
 \$ _____
 Total
 \$ 365.00

Hearing date 11/21/10

Sandy Handley 12/01/09
 Planner signature / date

Project # 1008084

Form revised 4/07

FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS

☐ **ANNEXATION (EPC08)**

- Application for zone map amendment including those submittal requirements. See below. Annexation and establishment of zoning must be applied for simultaneously.
- Petition for Annexation Form and necessary attachments
- Zone Atlas map with the entire property(ies) clearly outlined
- NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
- Letter briefly describing, explaining, and justifying the request
- NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
- Letter of authorization from the property owner if application is submitted by an agent
- BCC Notice of Decision for City Submittals
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts.
- Sign Posting Agreement
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

- ☐ **SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)** (Unadvertised)
- ☐ **SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)** (Public Hearing)
- ☐ **SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)** (Unadvertised)

Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)

Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)

Zone Atlas map with the entire plan area clearly outlined

Letter briefly describing, explaining, and justifying the request

Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts

(for EPC public hearing only)

TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form (for EPC public hearing only)

Fee for EPC final approval only (see schedule)

List any original and/or related file numbers on the cover application

Refer to the schedules for the dates, times and places of DRB and EPC hearings.

Your attendance is required.

☒ **AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)**

- Zone Atlas map with the entire property clearly outlined
- Letter briefly describing, explaining, and justifying the request per "Resolution 270-1980".
- Letter of authorization from the property owner if application is submitted by an agent
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

☐ **AMENDMENT TO SECTOR DEVELOPMENT MAP (EPC03)**

☐ **AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)**

Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)

Plan to be amended with materials to be changed noted and marked

Zone Atlas map with the entire plan/amendment area clearly outlined

Letter briefly describing, explaining, and justifying the request per "Resolution 270-1980" (Sector Plan map change only)

Letter of authorization from the property owner if application is submitted by an agent (Map change only)

Letter briefly describing, explaining, and justifying the request

Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (sector plans only)

Sign Posting Agreement

Fee (see schedule)

List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

☐ **AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)**

Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended

Letter briefly describing, explaining, and justifying the request

Fee (see schedule)

List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

- ☐ Checklists complete
- ☐ Fees collected
- ☐ Case #s assigned
- ☐ Related #s listed

Application case numbers _____

Form revised APRIL 07



Applicant name (print) DAC ENTERPRISES, INC. Doug CAMPBELL

Applicant signature / date Mary Campbell 11/27/21

Planner signature / date Sandy Shanks 12/01/21

Project # 1008087

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY IMPACT ASSESSMENT (AQIA) FORM

APPLICANT: DAC Enterprises, Inc DATE OF REQUEST: 11/16/09 ZONE ATLAS PAGE(S): H-14

CURRENT:

ZONING R-1

PARCEL SIZE (AC/SQ. FT.) 0.79 AC

REQUESTED CITY ACTION(S):

ANNEXATION ☐

SECTOR PLAN ☐

SITE DEVELOPMENT PLAN:

COMP. PLAN ☐

ZONE CHANGE ☒

A) SUBDIVISION ☐

BUILDING PERMIT ☐

AMENDMENT ☐

CONDITIONAL USE ☐

B) BUILD'G PURPOSES ☐

ACCESS PERMIT ☐

C) AMENDMENT ☐

OTHER ☐

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT ☒

OF UNITS: N/A

NEW CONSTRUCTION ☐

BUILDING SIZE: N/A (sq. ft.)

EXPANSION OF EXISTING DEVELOPMENT ☐

GENERAL DESCRIPTION OF ACTION: 1

NOTES: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

APPLICANT OR REPRESENTATIVE Doug Cardalle DATE 11/16/09
(TO BE SIGNED UPON COMPLETION OF PROCESSING BY TRAFFIC ENGINEER AND ENVIRONMENTAL HEALTH)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES ☐ NO ☒ BORDERLINE ☐

THRESHOLDS MET? YES ☐ NO ☒ MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: ☐

Notes:
If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

TRAFFIC ENGINEER Tony Zel

DATE 11-16-09

Air Quality Impact Analysis (AQIA) May Be Required:

Section 14-16-3-14 of the COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the Zoning Code specify which land use or plan actions will require preparation of an AQIA. Please refer to this section in order to determine if your proposal merits study for air quality impacts. An AQIA is not required, if a TIS is not required by the City or an associated TIS shows all signalized intersections functioning at Level of Service (LOS) C or better. An AQIA will only be required for a Sector Development Plan or Sector Development Plan Amendment if it meets AQIA thresholds in the Zoning Code.

AIR QUALITY IMPACT ANALYSIS (AQIA) REQUIRED: YES ☐ NO ☒

Contact an Air Quality Planner at 768-2660 to insure that input is received from the Air Quality Division during the scoping of the companion TIS. Any subsequent changes to the development proposal identified above may require an update or new AQIA.

APPLICANT DAC Enterprises, Inc
Doug Cardalle

DATE 11/16/09

Required TIS and/or AQIA must be completed prior to applying to the EPC. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED / /
-FINALIZED / /

TRAFFIC ENGINEER

DATE

November 27, 2009

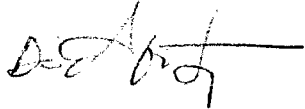
Re: Authorization to Represent
David Ortiz

To Whom It May Concern:

This letter certifies that David Ortiz hereby authorizes DAC Enterprises, Inc. to act as agent in all matters to come before the City of Albuquerque regarding my request for a Zone Map Amendment for Lots 1 & 2 Vacated Gentry Drain Addition.

If you have any questions, please contact me at 505-765-1972.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Ortiz', with a long horizontal stroke extending to the right.

David Ortiz

November 8, 2009

Laurie Moyer, Chair
Environmental Planning Commission
City of Albuquerque
Albuquerque, New Mexico

Re: Zone Map Amendment - Lots 1 & 2, Gentry Addition (Zone Atlas G & H-14-Z)

Dear Chair and Commissioners:

DAC Enterprises Inc., has been retained to act as agent for the applicant, Mr. David Ortiz. This is a request for a zone map amendment from R-1 to C-3 for two narrow lots surrounded by parcels zoned either M-1 or C-3. The property is located north of Claremont between 2nd St. NW and 4th St. NW

Justification for this approval is primarily based upon Section D (3) of Resolution 270-1980 in that the *Albuquerque/Bernalillo County Comprehensive Plan (Comprehensive Plan)* is better served by the zone change.

Background

This parcel is identified on some maps as Conder Lane NW, but it is unpaved, partially fenced and provides no connection to any other street from Claremont. Further, Lot 2 is inaccessible from any right-of-way, rendering it unusable as an independent parcel. It is the intention of the applicant to upgrade the property as necessary and use it for parking of vehicles for his business, which abuts this request.

Resolution 270-1980

A. A proposed zone change must be found to be consistent with the health, safety, morals and general welfare of the City. This is a request for C-3, heavy commercial zoning. Section 14-16-1-3 of the *Zoning Code* identifies the intent of the regulations in securing the health, safety, morals and general welfare of the City. Specifically, this zone map amendment will not impact adequate open space for light and air as the parcel is too small to develop with a building and will be used for parking. If a building is ever developed on the property it would be in conjunction with the adjacent lots and the open space would be accommodated through the larger site.

If this zone map amendment is granted, the property will be used for parking of trucks. It will be developed as required by current building, zoning, health and safety codes, including fire suppression, and flood control as may be necessary.

The property is surrounded by C-3 or M-1 zoning and the uses allowed on this lot are identical to the allowed uses on the adjoining C-3 property and less intense than those allowed on the M-1 properties. The lot is currently vacant and this approval will allow for orderly development which would abate any potential unsightly uses of the building or land.

Water, sewer, accessible public transportation are all available on or near the site. An approved grading and drainage plan will properly channel any flood water runoff and assure the safety and integrity of both this property and the nearby properties affected by this zone change.

Approving this zone map amendment will allow a reasonable opportunity to develop a lot which is vacant and a zoning anomaly. Current development standards will stabilize area property values.

This property has never been used for single family dwellings. Developing the property for houses in this area is unlikely, inappropriate for both the houses and the surrounding heavy commercial and light industrial zoning and will not enhance the health, safety, morals and general interest of the City. Re-zoning the property will have no impact on schools and recreational facilities in the area.

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for change.** The current R-1 zoning for the property is inappropriate, and one of the two parcels requested for re-zoning is inaccessible by any public thoroughfare. The nearest residentially zoned property in the area is on 3rd Street and all of those properties about M-1 zoning to the west and most are across the street from commercial zoning between Claremont and Phoenix.

It is stability of "land use" that is determined to be desirable, and this request is for C-3 zoning and an extension of the land uses that surround the property. More specifically, the zoning directly to the east of this property is C-3. The property abutting Lot 2 is also zoned C-3 to the west. Approximately 60% of the west boundary of Lot 1 is abutted by M-1 zoning and the remainder is abutted by C-3. The property across the street to the south of Lot 1 is zoned M-1 as is the property abutting Lot 2 to the north.

- C. A proposed zone change shall not be in significant conflict with the adopted elements of the *Comprehensive Plan* or other City master plans and amendments.** Applicant notes several supporting policies of the *Comprehensive Plan* as discussed below. This request does not further certain land use and housing policies of the North Valley Area Plan, but applicant believes that these conflicts are mitigated by the physical properties and location of the property and are therefore not in significant conflict as justified in Section D.

- D. The applicant must demonstrate that the existing zoning is inappropriate because: 1) there was an error when the existing zone map pattern was created, or 2) Changed neighborhood or community conditions justify the change or, 3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan and other City master plans, even though 1 and 2 above do not apply. As stated in the background section of this letter, applicant believes that a different use category can be demonstrated as being more advantageous to the community.

Albuquerque/Bernalillo County Comprehensive Plan

Policy II.B.5.a of the Developing and Established Urban Area of the *Comprehensive Plan* states: “*The Developing Urban and Established areas shall allow a full range of urban land uses, resulting in a gross density of up to five dwelling units per acre.*” This request furthers this policy because it allows an inappropriately zoned property to be utilized. As noted, Lot 2 of this request doesn’t even have access off a public right-of-way and cannot be developed independently for an R-1 use. That would leave only Lot 1 with even an opportunity to be developed and the lot is too small for any reasonably sized house, as well as being sandwiched between heavy commercial and industrially zoned properties.

Policy II.B.5.d: “*The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural and recreational concern.*” Again, the existing neighborhood is industrial in nature and the development of the property would be in conformance with all nearby and abutting land. The land is too small to develop even for commercial purposes, but will be useful for providing a parking area for the contiguous property owned by the applicant. Approval of this request would add no additional burden on Claremont as it is already used by the other C-3 properties abutting the street.

Signage, building height, landscaping, lighting and all other regulations of the *Zoning Code* would govern the re-zoned site. There would be no new intensity of development that is not already allowed in the area and the size of the lot limits any uses allowed.

Further, Policy II.B.5.e says that “[n]ew growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services where the integrity of existing neighborhoods can be ensured.” This infill re-zoning request is contiguous to all urban facilities. The neighborhood is nearly all commercial except for the few remaining houses on 3rd Street, which is significantly south of this property, and Conger Lane, a dead end street.

Policy II.B.5.o states: “*Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.*” This is an industrial neighborhood and this map amendment will allow the R-1 parcel to be used to support the commercial nature of the neighborhood.

There is no benefit to leaving a vacant R-1 lot in the area. It is totally inappropriate to develop as a house and the vacant lot leaves an opportunity to vandalism, litter and vagrancy to occur.

It is the goal of Policy II.B.5.p that “[c]ost effective redevelopment techniques shall be developed and utilized.” Technique 2 of this Policy says to “[e]mphasize private investment as a primary means to achieve redevelopment objectives.” This property is being developed by the property owner at no cost to the City of Albuquerque.

Economic Development Policy 2.C.6.b states that “Development of local business enterprises as well as the recruitment of outside firms shall be emphasized.” The applicant is a local resident and small businessman who owns a successful tent company. He owns the property abutting this request and he intends to use this property to expand parking for either his commercial vehicles or for employee parking. The current zoning does not provide for meaningful economic development based on this policy.

Policy 2.C.6.f says that “[t]he City and County should removed obstacles to sound growth management and economic development throughout the community.” The major obstacle to developing this property is the fact that the R-1 zoning is not developable for single family housing and is surrounded by heavy commercial and industrial zoning. The zone category itself is the obstacle to any economic development which may be derived from the site.

Air Quality Policy I states that “[a]ir quality considerations shall be integrated into zoning and land uses decisions to prevent new air quality/land use conflicts.” Approval of C-3 zoning on these small lots are not large enough to develop with any intensity and will not negatively impact the air quality in the area. The property will not generate any traffic that does not already exist, it will simply allow more easily accessible parking area for the applicant’s business abutting the site.

Finally, Policy a of the Noise section of the *Comprehensive Plan* says: “Noise considerations shall be integrated into the planning process so that future noise/land use conflicts shall be prevented.” Again, the property is too small to be used for any purpose that would create significant noise and is surrounded by industrial and heavy commercial zoning.

The previous two policies, though they may not be significantly furthered by this request, are examples of important policies which are also not in significant conflict with the request as required in Section C.

North Valley Area Plan

Policy 2 of the Zoning and Land Use section of the *North Valley Area Plan (NVAP)* states that the “City and County shall stabilize residential zoning and land use in the North Valley Area.”

Applicant does not believe that this request conflicts with this policy for three reasons. First, this is not a residential neighborhood and these residentially zoned lots are an anomaly in the vicinity; second, the lots are too small to be reasonably developed with houses; and finally, Lot 2 cannot be accessed from any public street.

Clearly the intent of this policy is to prevent the encroachment of non-residential zoning into residentially zoned areas. This request is exactly the opposite. In this case, applicant wishes to eliminate an inappropriately zoned and un-developable piece of R-1 property surrounded by commercial and industrial zoning.

The same argument applies to Policy 1. a. of the Housing Section: "The City and County shall stabilize land use to protect affordable housing and land presently used for housing." Methods to accomplish this policy are: "a.) Maintain and expand areas zoned for residential uses including A-1, R-1, MH; b.) Limit encroachment of non-residential uses into residential areas; [and] c.) Encourage residential zoning of parcels with residential uses."

In this case, the key portion of the policy is to stabilize and protect "land presently used for housing." This land is not used for housing. Further there is no reasonable scenario for expanding this industrial area for residential uses, nor is there a reasonable justification for doing so. Finally, though these two small parcels are zoned R-1, they cannot be logically described as a "residential area."

Applicant believes that these important policies of the *NVAP* are not affected by this request and that, as a result, there is no significant conflict between this request and the goals of the *North Valley Area Plan*.

E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to the adjacent property, the neighborhood or the community. The permissive uses in the C-3 zone are less intense than those in the surrounding M-1 zoned land and are identical to those uses already allowed in the abutting C-3 zoned property. Further, these lots are too small to be developed independently and any permissive use would be developed in conjunction with the existing industrially zoned adjacent lots.

A proposed zone change which, to be utilized though land development requires major and unplanned capital expenditures...may be denied. This proposed zone change requires no capital expenditures on the part of the City in order to be developed.

F. The cost of land and other economic considerations pertaining to the applicant shall not be a determining factor for a change of zone. Applicant makes no argument regarding economic factors as they may apply specifically to him, though economic factors which benefit the community have been previously addressed.

- G. Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning. This property is not located on a collector or major street.
- H. A zone change request which would give a zone different from surrounding zones to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when; (1) the change will clearly facilitate realization of the *Comprehensive Plan* and any adopted sector development plan or area plan, or (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for uses allowed in any adjacent zone due to topography, traffic for special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone." This is not a spot zone. If this re-zoning is approved, the land will be zoned C-3, which is identical to the property on the west side of this request and a majority of the land abutting to the east. The rest of the abutting property to the east is zoned M-1, which is a more intense zone.
- I. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will only be approved where; (1) the change will clearly facilitate realization of the *Comprehensive Plan* and any adopted sector development plan or area plan, and (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for uses allowed in any adjacent zone due to traffic or special adverse land uses nearby. See I. above.

Conclusions

This request is well supported by several policies and techniques of the *Comprehensive Plan*. The current zoning is clearly inappropriate for both the existing development and the area in general.

A positive consideration of this request is appreciated. I look forward to addressing the commission to answer any other questions that may arise.

Regards,


Doug Grandall

Principal, DAC Enterprises, Inc.

DAC Enterprises, Inc.
Zoning & Land Use Services

November 27, 2009

CERTIFIED MAIL
NEAR NORTH VALLEY NEIGHBORHOOD ASSOC
Richard Sandoval
3405 Northfield Ct. NW
Albuquerque, NM 87107

Re: Request for Zone Map Amendment

Dear Mr. Sandoval:

DAC Enterprises, Inc. has been authorized to represent Mr. David Ortiz in requesting a zone map amendment from R-1 to C-3 for two narrow lots, once used as a drainage ditch and which are surrounded by parcels zoned C-3 and M-1. The property is identified as Lots 1 and 2, Vacated Gentry Drain Subdivision.

Enclosed for your information is a copy of Zone Atlas page H-14-Z in order to help you locate the property. The application will be filed with the Environmental Planning Commission by the December 3, 2009 deadline for their review and approval at their January 21, 2010 hearing date.

We will be more than happy to discuss our request with you and your neighborhood association and answer any questions which may have. Please call on us if you want us to present and/or if you should have questions in the mean time.

Sincerely,

Doug Crandall
Doug Crandall
Principal

Cc: Marie NaVeaux 1028 McMullin NW 87107

7008 0150 0002 6013 9625

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ALBUQUERQUE NM 87107

Postage	\$	\$0.44
Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$2.30
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.54

Postmark Here
NOV 27 2009

Sent To
RICHARD SANDOVAL
Street, Apt. No.,
or PO Box No. 3405 NORTHFIELD CT. NW
City, State, ZIP+4 ALBUQ, NM 87107

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0002 6013 9622

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ALBUQUERQUE NM 87107

Postage	\$	\$0.44
Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$2.30
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.54

Postmark Here
NOV 27 2009

Sent To
MARIE NAVEAUX
Street, Apt. No.,
or PO Box No. 1028 MCMULLIN NW
City, State, ZIP+4 ALBUQ, NM 87107

PS Form 3800, August 2006 See Reverse for Instructions

DAC Enterprises, Inc.
Zoning & Land Use Services

November 27, 2009

CERTIFIED MAIL
NORTH FOURTH CAMINO REAL MERCHANTS
Scot Steinberg
3906 4th Street NW
Albuquerque, NM 87107

Re: Request for Zone Map Amendment

Dear Mr. Steinberg:

DAC Enterprises, Inc. has been authorized to represent Mr. David Ortiz in requesting a zone map amendment from R-1 to C-3 for two narrow lots, once used as a drainage ditch and which are surrounded by parcels zoned C-3 and M-1. The property is identified as Lots 1 and 2, Vacated Gentry Drain Subdivision.

Enclosed for your information is a copy of Zone Atlas page H-14-Z in order to help you locate the property. The application will be filed with the Environmental Planning Commission by the December 3, 2009 deadline for their review and approval at their January 21, 2010 hearing date.

We will be more than happy to discuss our request with you and your neighborhood association and answer any questions which may have. Please call on us if you want us to present and/or if you should have questions in the mean time.

Sincerely,

Doug Crandall
Doug Crandall
Principal

Cc: Ted Brown P.O. Box 26508 87125

7008 0150 0002 6013 9699

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
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For delivery information visit our website at www.usps.com	
ALBUQUERQUE NM 87107	
Postage	\$ 0.44
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$2.30
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.54

0101
15
Postmark Here
NOV 27 2009
11/27/2009

Sent To SCOT STEINBERG
Street, Apt. No., or PO Box No. 3906 4th ST. NW
City, State, ZIP+4 ALBUR, NM 87107

PS Form 3800, August 2006 See Reverse for Instructions

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11/27/2009

Sent To TED BROWN
Street, Apt. No., or PO Box No. P.O. BOX 26508
City, State, ZIP+4 ALBUR, NM 87125

See Reverse for Instructions

DAC Enterprises, Inc.
Zoning & Land Use Services

P.O. Box 16658 • Albuquerque, NM 87191

November 27, 2009

CERTIFIED MAIL
NORTH VALLEY COALITION
Chris Catechis
5733 Guadalupe Trail NW
Albuquerque, NM 87107

Re: Request for Zone Map Amendment

Dear Mr. Catechis:

DAC Enterprises, Inc. has been authorized to represent Mr. David Ortiz in requesting a zone map amendment from R-1 to C-3 for two narrow lots, once used as a drainage ditch and which are surrounded by parcels zoned C-3 and M-1. The property is identified as Lots 1 and 2, Vacated Gentry Drain Subdivision.

Enclosed for your information is a copy of Zone Atlas page H-14-Z in order to help you locate the property. The application will be filed with the Environmental Planning Commission by the December 3, 2009 deadline for their review and approval at their January 21, 2010 hearing date.

We will be more than happy to discuss our request with you and your neighborhood association and answer any questions which may have. Please call on us if you want us to present and/or if you should have questions in the mean time.

Sincerely,

Doug Crandall
Doug Crandall
Principal

Cc: Claude Morelli P.O. Box 70352 87197

7008 0150 0002 6013 9712

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Certified Fee		\$2.80
Return Receipt Fee (Endorsement Required)		\$2.30
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.54

Postmark Here
11/27/2009

Sent To **CHRIS CATECHIS**
Street, Apt. No., or PO Box No. **5733 GUADALUPE TR NW**
City, State, ZIP+4 **ALBUQ. NM 87107**

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0002 6013 9729

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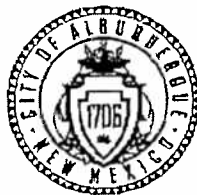
ALBUQUERQUE NM 87197

Postage	\$	\$0.44
Certified Fee		\$2.80
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Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.54

Postmark Here
11/27/2009

Sent To **CLAUDE MORELLI**
Street, Apt. No., or PO Box No. **P.O. BOX 70352**
City, State, ZIP+4 **ALBUQ. NM 87197**

PS Form 3800, August 2006 See Reverse for Instructions



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

November 12, 2009

Robert E. Romero
DAC Enterprises, Inc.
P.O. Box 16658/87191
Phone: 505-242-3232/Fax: 505-247-4530

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Dear Robert:

Thank you for your inquiry of November 12, 2009 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of O-92 by your proposed project at **(EPC SUBMITTAL) - LOTS 1 AND 2, VACATED GENTRY DRAIN SUBDIVISION, LOCATED ON CLAREMONT AVENUE NW BETWEEN 2nd STREET NW AND 4th STREET NW** zone map **H-14**.

Our records indicate that the **Neighborhood and/or Homeowner Associations and Coalitions** affected by this proposal and the contact names are as follows:

NEAR NORTH VALLEY N.A. "R"

Richard Sandoval, 3405 Northfield Ct. NW/87107 345-4371 (h)
Marie NaVeaux, 1028 McMullin NW/87107 345-2073 (h)

NORTH FOURTH CAMINO REAL MERCHANTS ASSOC. INC. "R"

Scot Steinberg, 3906 4th St. NW/87107 344-1777 (w)
Ted Brown, P.O. Box 26508/87125 345-9051 (h)

NORTH VALLEY COALITION

Chris Catechis, 5733 Guadalupe Tr. NW/87107 271-9876 (h)
Claude Morelli, P.O. Box 70352/87197 344-9742 (w&c)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD AND/OR
HOMEOWNER ASSOCIATION.**

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describes the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
 - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

The following Information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ☒ **ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- ☐ **The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.**
- ☒ **Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- ☒ **Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

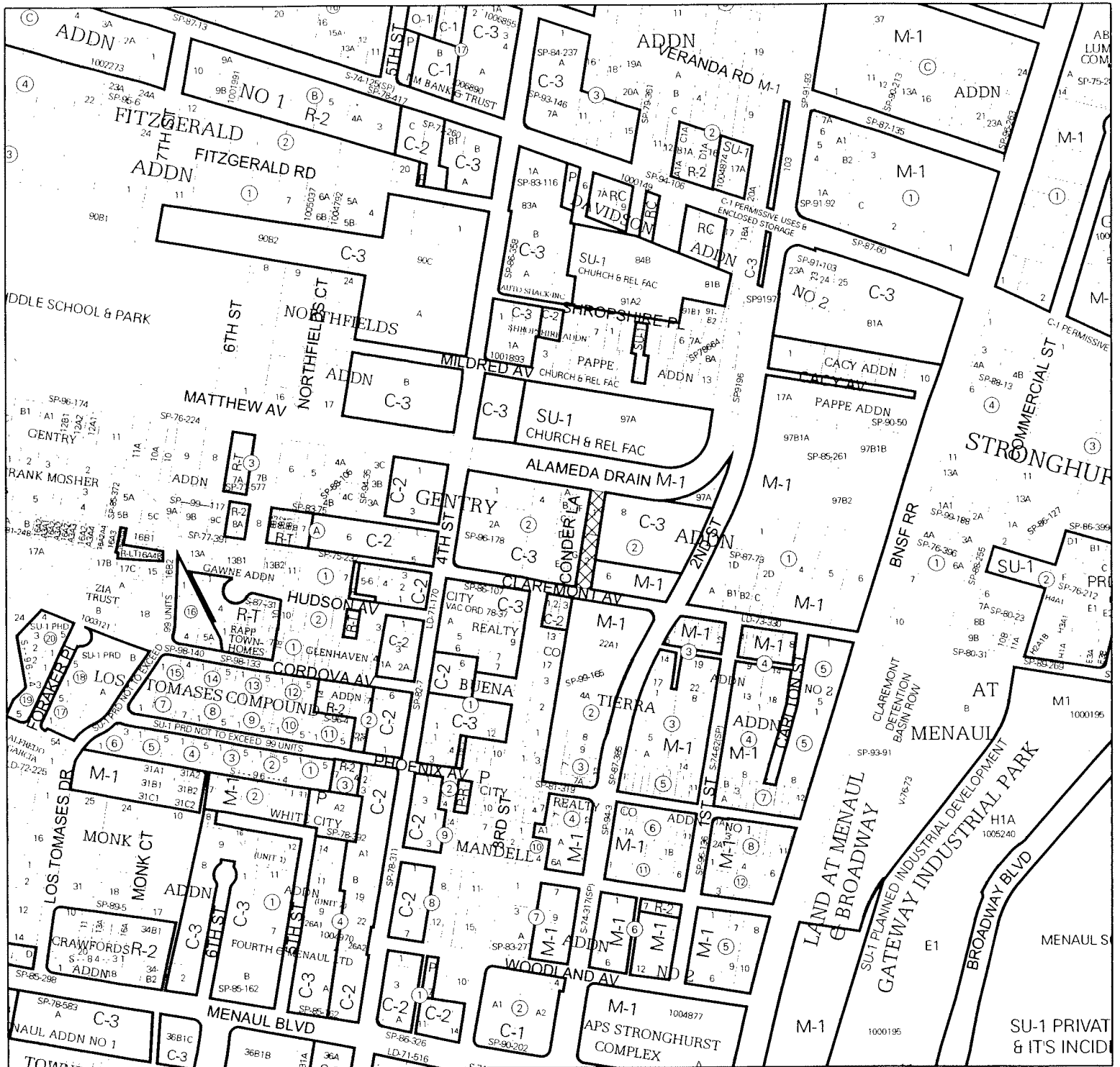
Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: 11/12/09 Time Entered: 9:25 a.m. ONC Rep. Initials: siw



ZONING MAP

Note: Grey shading indicates County.



1 inch = 500 feet

Project Number:

1008084

Hearing Date:

1/21/2010

Zone Map Page:

H-14

Additional Case Numbers:

09EPC-40066



Note: Grey shading indicates County.

AGRI Agricultural
COMM Commercial - Retail
DRNG Drainage
MFG Manufacturing or Mining
MULT Multi-Family or Group Home
OFF Office
PARK Park, Recreation, or Open Space
PRKG Parking
PUBF Public Facility
SF Single Family
TRAN Transportation Facility
VAC Vacant Land or Abandoned Buildings
WH Warehousing & Storage



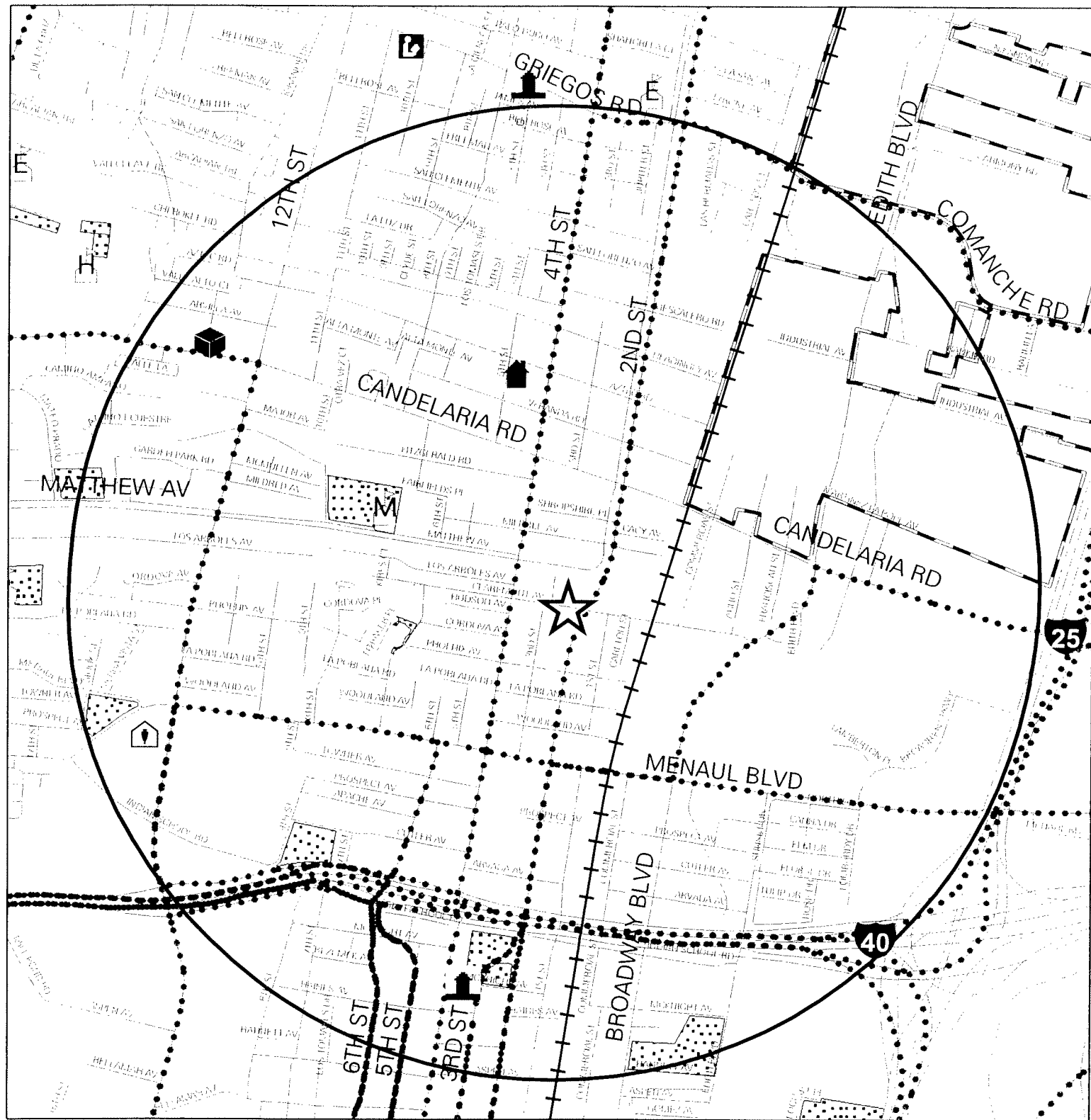
Additional Case Numbers:
09EPC-40066



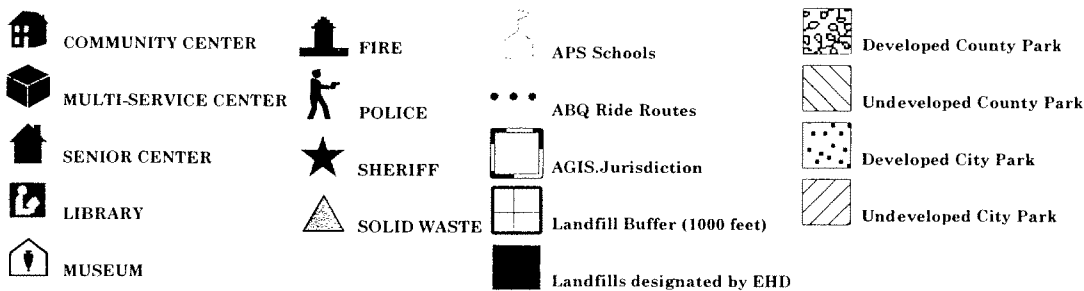
Note: Grey shading indicates County.



Additional Case Numbers:
09EPC-40066



Public Facilities Map with One-Mile Site Buffer



Project Number: 1008084

0 0.5 1 Miles

